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November 11, 1998

Date

Lawrence J. Chapa

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Terumi SUNAGA

SERIAL NO: 08/820,608

FILED: March 19, 1997

TITLE: SPREAD SPECTRUM COMMUNICATION  
TRANSMITTER AND RECEIVER, AND  
CDMA MOBILE COMMUNICATION  
SYSTEM

) Group Art Unit: 2732

) Examiner: K. Vanderpuye

Box AF  
THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

**RESPONSE AFTER FINAL ACTION**

Dear Sir:

In response to the Official Action (Paper No. 9) dated August 11, 1998, the Applicant requests that the Applicant's remarks be considered in response to the Examiner's reasons for rejection.

**REMARKS**

The response is being filed in answer to the Office Action dated August 11, 1998, made final, wherein the Examiner rejected pending claims 1, 4, 6-17, as being made obvious by the prior art described in the background portion of the present specification, in view of Tanaka, U.S. Patent No. 5,636,243, (claims 1, 4, 8 and 13) and Marchetto et al., U.S. Patent No. 5,414,734, (claims 6 and 7), and objected to claims 2, 3 and 5, as being dependent upon a rejected base claim.

**Allowable Subject Matter**

The applicant acknowledges with thanks the Examiner's indication that claims 2, 3 and 5 contain allowable subject matter.

**35 U.S.C. §103 objections**

With reference to rejected claims 1, 4, 8 and 13, the Examiner continues to rely upon Tanaka, U.S. Patent No. 5,636,243, in combination with the prior art disclosed in the application, namely FIGS. 1 through 6d. The Examiner contends